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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**

**CENTRAL DIVISION**

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**JAN E. JURASEK,**

**Plaintiff,**

**vs.**

**WAYNE BROWN, DR. WHITEHEAD,  
DR. FNU SPENCER, Clinical Director of  
Utah State Hospital, and MARK PAYNE,  
Administrative Head of Utah State  
Hospital,**

**Defendants.**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

**Case No. 2:05CV462 DAK**

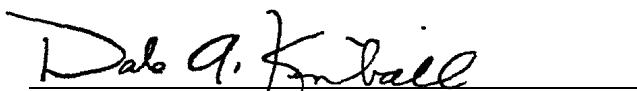
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This matter is before the court on the Report and Recommendation issued by the Magistrate Judge on March 23, 2006. On July 20, 2005, this case was referred to the Magistrate Judge under 28 U.S.C. § 636(b)(1)(B). In his March 23, 2006 Report and Recommendation, the Magistrate Judge recommended that the remaining claim in Petitioner's habeas corpus petition be dismissed without prejudice.

Petitioner has not objected to the Report and Recommendation. The court has reviewed the file in its entirety and hereby APPROVES and ADOPTS the Magistrate Judge's Report and Recommendation in its entirety. Petitioner's petition is therefore DISMISSED without prejudice.

DATED this 11<sup>th</sup> day of April, 2006.

BY THE COURT:

  
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**DALE A. KIMBALL**  
United States District Judge